

**RECORD OF DECISION – CMOH Order 24-2021 which modifies CMOH Orders 19-2021 and 20-2021**

**Re: 2021 COVID-19 Response**

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Whereas under section 29(2.1) of the *Public Health Act*, I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Whereas I am, therefore, modifying CMOH Orders 19-2021 and 20-2021 such that certain conditions in those Orders do not apply to drive-in activities.

Therefore, I am taking the following steps, effective May 17, 2021.

1. The Table of Contents in Record of Decision – CMOH Order 19-2021 and Record of Decision – CMOH Order 20-2021 is modified by adding the following “Part 13.1 Drive-in activities” immediately after Part 13.
2. Section 7.1 of Record of Decision – CMOH Order 19-2021 is deleted.
3. Sections 7.1 and 9.6 of Record of Decision – CMOH Order 20-2021 are deleted.
4. Part 13.1 of Record of Decision – CMOH Order 19-2021 is inserted immediately following Part 13:

**Part 13.1 – Drive-in activities**

13.1.1 In this Part “drive-in activities” means outdoor activities that a person can participate in or observe while remaining in a motor vehicle including the following:

- (a) a worship service;
- (b) a drive-in movie;
- (c) a graduation ceremony;

- (d) outdoor physical activity services as defined in Part 8;
  - (e) outdoor performance activity services as defined in Part 9;
  - (f) outdoor recreational activity services as defined in in Part 10;
  - (g) any activity similar in nature to those listed in this section.
- 13.1.2 An unlimited number of persons may attend a drive-in activity if the persons who attend the drive-in activity:
- (a) remain within a motor vehicle that is designed to be closed to the elements while attending the drive-in activity except where necessary to use the washroom;
  - (b) position their motor vehicle at least two metres away from other motor vehicles;  
and
  - (c) maintain a minimum physical distance of two metres from any other person observing the drive-in activity, unless the other person is a member of their household.


5. Part 13.1 of Record of Decision – CMOH Order 20-2021 is inserted immediately following Part 13:

**Part 13.1 – Drive-in activities**

- 13.1.1 In this Part “drive-in activities” means outdoor activities that a person can participate in or observe while remaining in a motor vehicle including the following:
- (a) a worship service;
  - (b) a drive-in movie;
  - (c) a graduation ceremony;
  - (d) physical activity as defined in section 8.3;
  - (e) performance activity as described in section 9.4;
  - (f) youth group recreational activity as defined in section 10.1;
  - (g) any activity similar in nature to those listed in this section.
- 13.1.2 An unlimited number of persons may attend a drive-in activity if the persons who attend the drive-in activity:
- (a) remain within a motor vehicle that is designed to be closed to the elements while attending the drive-in activity except where necessary to use the washroom;

- (b) position their motor vehicle at least two metres away from other motor vehicles;  
and
- (c) maintain a minimum physical distance of two metres from any other person observing the drive-in activity, unless the other person is a member of their household.

Signed on this 17 day of May, 2021.

  
Deena Hinshaw, MD  
Chief Medical Officer of Health